

## Code of Ordinance Amendment - Quick Comparison

Chapter 24 - Article II	
Existing	Proposed
<b>Sec 24-51 General Requirements</b>	
Bond required for any excavation in the R/W	Bond requirement deleted
<b>Sec 24-54 Excavation Permit Fee</b>	
Breakdown of categories to be included when calculating the permit fee	Breakdown and calculation details deleted as the fee schedule provides an all-inclusive fee. Reference was added to the fee schedule.
<b>Sec. 24-55 Right-of-way Repair</b>	
Permittee must repair the general area of the work, and the surrounding areas, including the paving and its foundations, to the specifications of the City	Added "pavement markings, signal loops, and any other traffic devices damaged during the work" to that provision.
Permittee must provide a bond for the repair work.	Bond provision deleted
Permittee guarantees its work and shall maintain it for 36 months following its completion. Repairs requested by the City must be completed within 10 calendar days. If fails to repair the City at its option may do such work. In that event, the permittee shall pay the City for the cost of the repairs or the City may exercise its right under the repair bond.	Provision replaced with: Permittee shall warrant its work until the road is re-surfaced. Repairs requested by the City must be completed within 30 day or less. If fails to repair, the City at its option may do such work at the expense of the permittee. In that event, the permittee shall pay the cost within 30 days of invoice. No additional permits will be issued for any particular utility until it is in compliance with the provisions of this article. At the discretion of the city engineer the warranty period may be reduced to three (3) years if all restoration, compaction and testing requirements in accordance with city standards are followed.
<b>Sec. 24-56 Restoration Requirements</b>	
The permittee may elect to restore the excavation and surrounding pavements in lieu of repair and a degradation fee. If restoration elected the City shall specify the area to be restored and methods to be used.	<p>The permittee shall restore the excavation, surrounding pavement and surrounding areas. The City shall specify the area to be restored, methods and materials to be used. The restoration area shall be adjusted in the field to meet special conditions such as previous paving and patching limits. Groundcover must be properly established no later than seven (7) days from completion of work in the specific area.</p> <p>Diagrams are included to provide guidance as to when restoration will be required. (See Attachment A)</p>

Existing	Proposed
Not addressed	<p>After completion of the excavation, etc., any trench or opening in any street or sidewalk shall be properly compacted following city standards for compaction. The material used in replacing the surface course shall be of the same type and thickness and equal in quality to that which was removed.</p> <p>Excavatable flowable fill in accordance with the City's technical specifications could be used instead of backfill from the invert to the base layer elevation at the discretion of the City Engineer. Warranty period may be reduced to one year if excavatable flowable fill is used.</p>
<b>Sec. 24-57 Inspection</b>	
When the work is completed, the permittee shall notify the City.	Added a provision for inspection by the City after completion and determination of degradation area. Re-inspections fees will apply, in accordance with the fee schedule, for restored areas that requested to be repaired.
<b>Sec. 24-60 Other Obligations</b>	
Not addressed	Added a provision to ensure that all work is performed with the appropriate traffic control and in accordance with MUTCD and City standards.
Not addressed	All disturbed ground area inside the right-of-way must be stabilized no later than seven (7) days from completion of work in the specific area.
Not addressed	Any pipe abandoned inside the right-of-way shall be properly removed. The City Engineer may allow abandonment in-place with plug and grout filled when removal is not feasible.
<b>Sec. 24-61 Revocations, suspensions, refusals to issue or extend permits</b>	
Failure to maintain bonds could prevent permit issuance.	Deleted provision related to bonds.
<b>Sec. 24-70 Trenching Requirements</b>	
Not addressed	Added a provision to ensure that all trenching operations must comply with all local, state, and federal safety requirements to include OSHA.
<b>Sec. 24-71 Tunneling Requirements</b>	
Not addressed	Added a provision to ensure that all tunneling operations must comply with all local, state, and federal safety requirements to include OSHA.
The diameter of the hole to be bored shall not exceed the outside diameter of the pipe by more than 3 inches.	Added "Unless otherwise approved by the City Engineer".

Existing	Proposed
<b>Sec. 24-72 Resurfacing Requirements</b>	
Not addressed	<p>Any street that is degraded 25% or greater between intersection shall be overlaid with a minimum of 1 ½ inch of asphalt for the entire length between the intersecting streets.</p> <p>Percentage of degradation will be determined prior to excavation including existing and new degradation as illustrated on examples attached. The resurfacing limits shall be adjusted in the field to meet special conditions such as previous paving or patching limits. A temporary patch flush with the existing asphalt elevation is to be used for one (1) year to allow settlement prior to final asphalt layer. The asphalt mix to be used shall comply with the City's pavement specifications for the specific use type. Edge milling could be required based on existing conditions. The permittee may elect to pay-in-lieu-of overlay in accordance with the fee schedule. Said fee will be contributed to the City's resurfacing program for inclusion of the street segment in the next available contract and no early than 12 months to allow any settlement of the temporary patch to occur. No additional permits will be issued for any particular utility until it is in compliance with the provisions of this article. No franchise holder, licensee, utility, or permittee will be exempt from this section. Calculation examples are included. (See Attachment B)</p>
Not addressed	Excavatable flowable fill in accordance with the City's technical specifications could be used instead of backfill from the invert to the base layer elevation at the discretion of the City Engineer.
Not addressed	Added warranty requirement of one-year.
<b>Sec. 24-73 Safety Precautions</b>	
Not addressed	Steel plating could be considered during periods of no work activity upon approval of the city engineer in accordance with City standards.
<b>Sec 24-75 Special provisions for newly constructed, reconstructed or resurfaced streets. (New Section)</b>	
Not addressed	<p>No permit shall be issued for any excavation or utility work in any right-of-way that has been constructed, reconstructed, or resurfaced in the preceding period of 36 months (3 years).</p> <p>Alternate methods shall be used.</p>

Existing	Proposed
Not addressed	An exception to the provision above could be granted to an applicant to respond to emergencies, to comply with applicable state or federal regulations, or to provide service to buildings that the person has no other reasonable means serving. Justification as to (1) why it wasn't performed before, (2) why the work cannot be delayed until the 36 months period expires, and (3) why the excavation cannot be performed at reasonable cost at another location or method, will be required for a final decision.
Not addressed	If exception is granted the permittee will be assessed 5 times the degradation cost. Emergency repairs are not exempt.
Not addressed	<p>For newly constructed streets all backfill operations as related to installation of utilities shall be compacted in accordance with the city standards for compaction and testing.</p> <p>Excavatable flowable fill in accordance with the City's technical specifications could be used instead of backfill to the base layer elevation at the discretion of the City Engineer.</p>
Not addressed	Any excavation on a street that is scheduled for re-surfacing within twelve (12) months, will require compaction testing in accordance with city standard.